

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PersonalWeb Technologies, LLC and
Level 3 Communications, LLC,

Plaintiff(s),

v.

CASE NO. 5:13-cv-01358-EJD

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

EMC Corporation and VMware Inc.,

Defendant(s).

_____/

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- ☐ Non-binding Arbitration (ADR L.R. 4)
- ☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)
- ☐ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

- ☒ Private ADR *(please identify process and provider)* _____

Private mediation – provider to be determined.

The parties agree to hold the ADR session by:

- ☐ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

- ☒ other requested deadline May 23, 2014

Dated: 11/7/2013

/s/ Lawrence M. Hadley
Attorney for Plaintiff PersonalWeb

Dated: 11/7/2013

/s/ Courtney C. Hoecherl
Attorney for Defendants
EMC Corporation and VMware, Inc.

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[PROPOSED] ORDER

- ☐ The parties' stipulation is adopted and IT IS SO ORDERED.
- ☐ The parties' stipulation is modified as follows, and IT IS SO ORDERED.

Dated:

UNITED STATES DISTRICT JUDGE

<p>When filing this document in ECF, please be sure to use the appropriate Docket Event, e.g., "Stipulation and Proposed Order Selecting Mediation."</p>
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